
Public Notice

Applicant:

Victor Hills Golf Club, Inc.

Date:

Published: Aug. 30, 2001

Expires: Sept. 29, 2001

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 2000-02280(2) Section: NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Mr. Jack Dianetti, of Victor Hills Golf Club, Inc., 1398 Brace Road, Victor, New York 14564, proposes to place fill into Federal jurisdictional wetlands in order to construct an expansion, to be known as the "East Course," to the Victor Hills Golf Club course. This project is located on an approximately 140 acre parcel situated between Break of Day, Brace, Victor, and Boughton Hill Roads, in the Town of East Victor, Ontario County, New York.

The project consists of the following:

a. Approximately 0.44 acre of Federal jurisdictional wetland will be filled in the construction of the proposed East Course on an approximately 140 acre parcel. The project design avoids approximately 1.72 acres of wetland which will remain undisturbed.

The wetlands on the project site consist of 56% emergent and wet meadow/scrub shrub wetland type located adjacent to or in drainageways of Fish Creek. Fish Creek bisects the project parcel.

The remaining onsite wetlands (44%) are comprised of a mixed emergent/forested type located adjacent to Fish Creek. Approximately half of the impacts will occur within mixed emergent/wet meadow wetland (0.16 acre) but one of the proposed fairways will impact an approximately 0.17 acre portion of the emergent/forested wetland.

b. As mitigation for unavoidable impacts to wetlands, the applicant proposes to construct approximately 0.89 acre of shallow emergent wetland. Mitigation is proposed in two separate onsite locations. Mitigation area number 1 will expand existing Wetland A by 0.28 acre. Mitigation area number 2, 0.61 acre in size, will be situated between fairway numbers 5, 7, and 8, and will include a water control structure to regulate hydrology.

c. In addition to the proposed wetland impacts the applicant also proposes the construction of several culverted crossings of Fish Creek. The proposed culverted crossings, three 80 linear foot culverts and two 20 linear foot culverts, will impact 280 linear feet of Fish Creek.

The applicant's stated purpose is to construct an 18-hole expansion to the existing Victor Hills Golf Club course. The proposed expansion will be located east of the existing golf course and will be designated the East Course.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Joseph W. Krawczyk, who can be contacted by calling (716) 879-4186, or by e-mail at: joseph.w.krawczyk@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Joseph W. Krawczyk, or by e-mail at: joseph.w.krawczyk@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

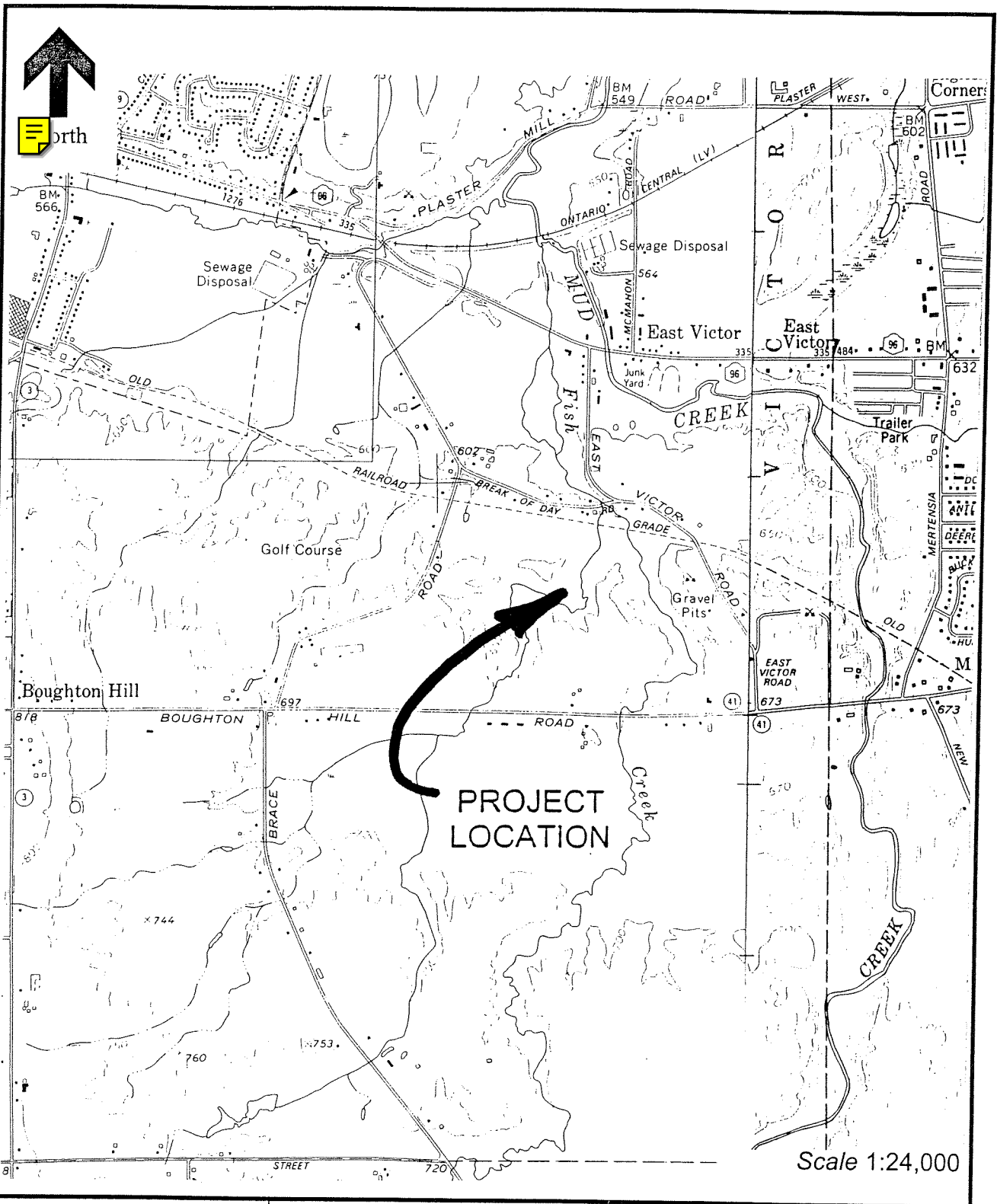
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values,

land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



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isher Associates
 ENGINEERS AND SURVEYORS

Notes:

1. Plan adapted from USGS Topographic Map – Victor Quadrangle.
2. See text for additional information.

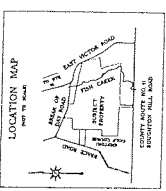
Figure No. 1
Joint Application For
Permit
Project Location Map
Victor Hills, East Course
 Victor, New York

March 8, 2001

VICTOR HILLS GOLF COURSE
 D/A Processing No. 2000-02280(2)
 Ontario County, New York Quad: VICTOR
 Sheet 1 of 8

LEGEND

1. UNDISTURBED WETLAND
2. DISTURBED WETLAND
3. WETLAND BOUNDARY
4. WETLAND DRAINAGE CORRIDOR
5. PROPOSED WETLAND BOUNDARY
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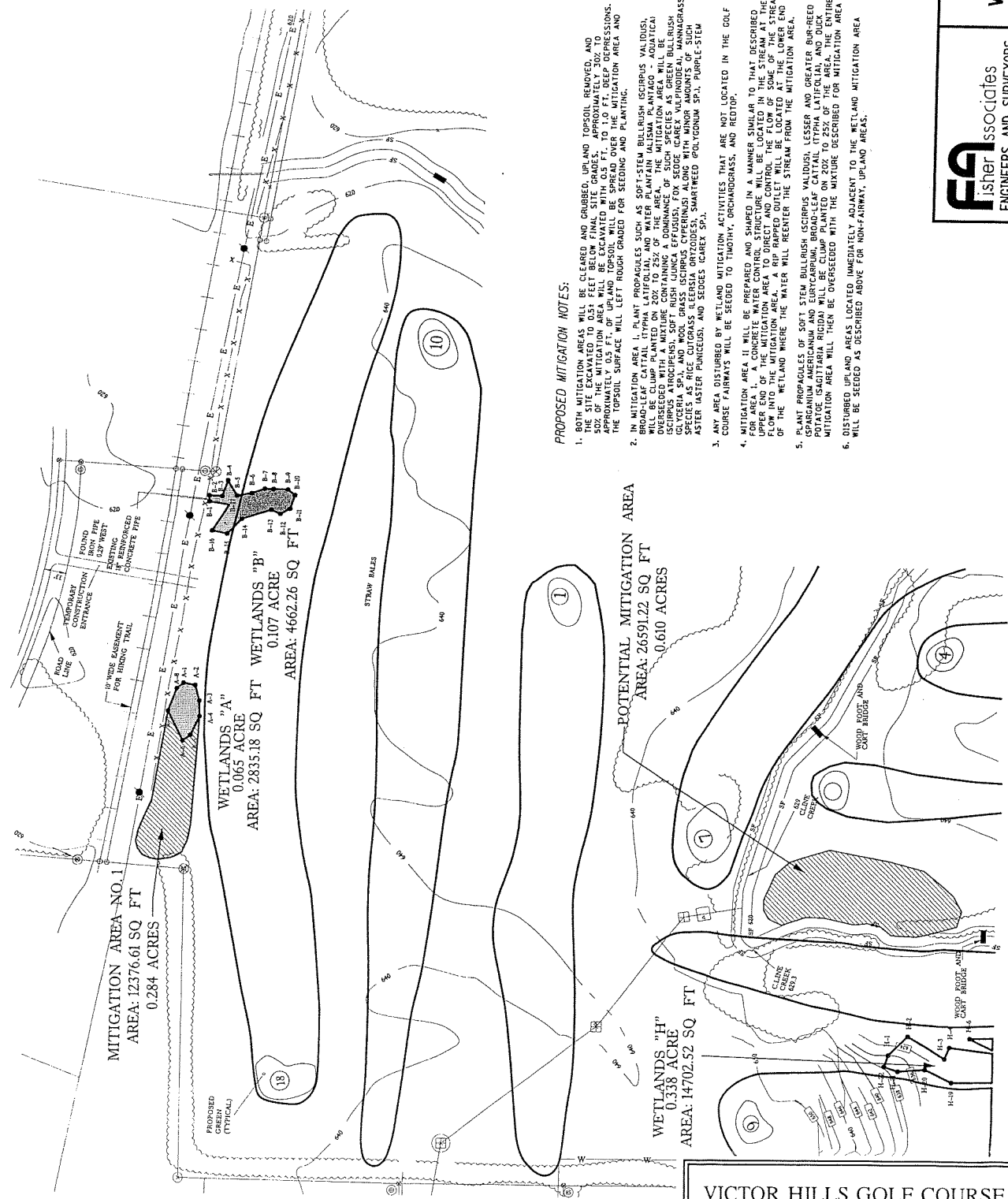


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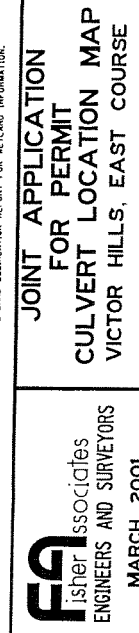
**PROPOSED WETLAND
MITIGATION MAP
WITH PROPOSED COURSE
VICTOR HILLS, EAST COURSE**

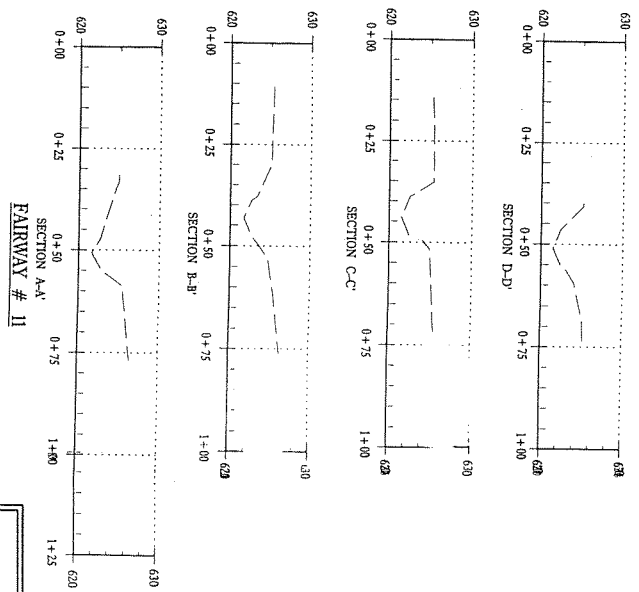
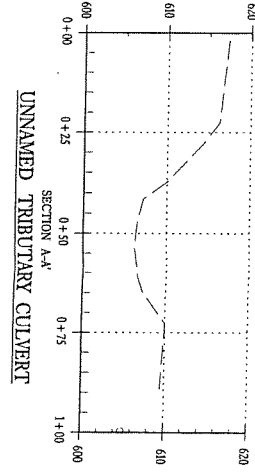
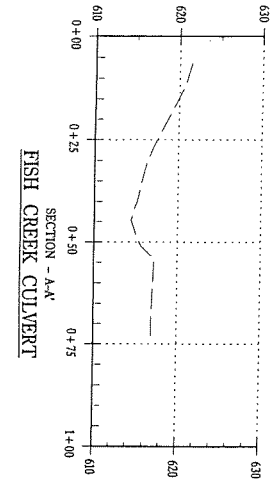
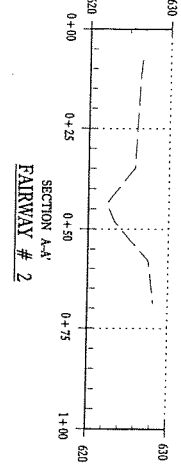
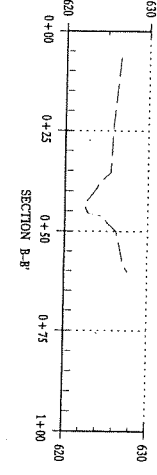
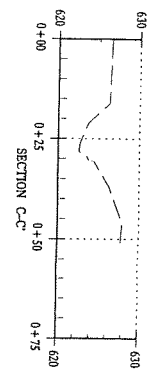
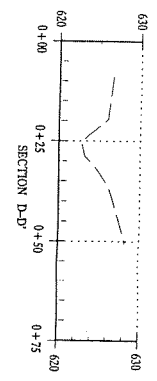
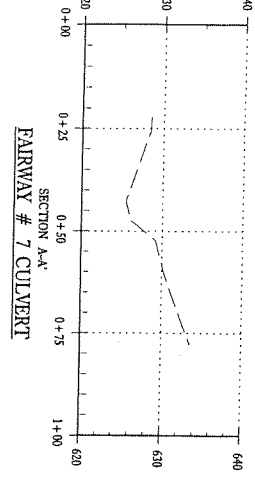
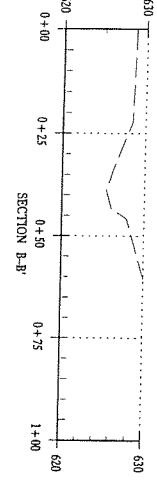
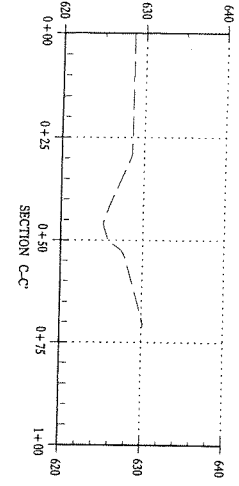
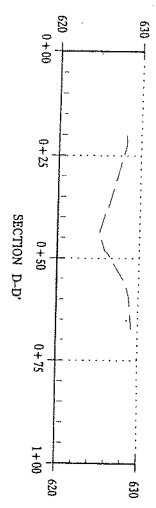
Fisher Associates
ENGINEERS AND SURVEYORS
JULY 2001



PROPOSED MITIGATION NOTES:

1. BOTH MITIGATION AREAS WILL BE CLEARED AND GRUBBED, UPLAND TOPSOIL REMOVED, AND 50% OF THE MITIGATION AREAS WILL BE RESEEDED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST. THE REMAINING 50% OF THE MITIGATION AREAS WILL BE RESEEDED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST. THE TOPSOIL SURFACE WILL BE LEFT ROUGH GRADED FOR SEEDING AND PLANTING.
2. IN MITIGATION AREA I, PLANT PROPAGULES SUCH AS SOFT-STEM BULLRUSH (SCIRPUS VALIDUS), BROAD-LEAF CATTAIL (TYPHA LATIFOLIA), AND WATER PLANTAIN (ALISM AQUIFOLIA) WILL BE OVERSEED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST. IN MITIGATION AREA II, PLANT PROPAGULES SUCH AS SOFT-STEM BULLRUSH (SCIRPUS VALIDUS), BROAD-LEAF CATTAIL (TYPHA LATIFOLIA), AND WATER PLANTAIN (ALISM AQUIFOLIA) WILL BE OVERSEED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST. IN MITIGATION AREA I, PLANT PROPAGULES SUCH AS SOFT-STEM BULLRUSH (SCIRPUS VALIDUS), BROAD-LEAF CATTAIL (TYPHA LATIFOLIA), AND WATER PLANTAIN (ALISM AQUIFOLIA) WILL BE OVERSEED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST. IN MITIGATION AREA II, PLANT PROPAGULES SUCH AS SOFT-STEM BULLRUSH (SCIRPUS VALIDUS), BROAD-LEAF CATTAIL (TYPHA LATIFOLIA), AND WATER PLANTAIN (ALISM AQUIFOLIA) WILL BE OVERSEED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST.
3. ANY AREA DISTURBED BY WETLAND MITIGATION ACTIVITIES THAT ARE NOT LOCATED IN THE GOLF COURSE FAIRWAYS WILL BE RESEEDED WITH A MIXTURE OF SPECIES AS DESCRIBED IN THE ATTACHED SPECIES LIST.
4. MITIGATION AREA II WILL BE PREPARED AND SHAPED IN A MANNER SIMILAR TO THAT DESCRIBED IN THE ATTACHED SPECIES LIST. A CONCRETE WATER CONTROL STRUCTURE WILL BE LOCATED IN THE STREAM AT THE UPPER END OF THE MITIGATION AREA. A RIP RAPPED OUTLET WILL BE LOCATED AT THE LOWER END OF THE MITIGATION AREA WHERE THE WATER WILL REENTER THE STREAM FROM THE MITIGATION AREA.
5. PLANT PROPAGULES OF SOFT STEM BULLRUSH (SCIRPUS VALIDUS), LESSER AND GREATER BUR-REED (SPARGANIL AMERICANUM AND EURYCARPUM), BROAD-LEAF CATTAIL (TYPHA LATIFOLIA), AND WATER PLANTAIN (ALISM AQUIFOLIA) WILL BE CLUMP PLANTED ON 20% TO 25% OF THE AREA. THE MITIGATION AREA WILL THEN BE OVERSEED WITH THE MIXTURE DESCRIBED FOR MITIGATION AREA I.
6. DISTURBED UPLAND AREAS LOCATED IMMEDIATELY ADJACENT TO THE WETLAND MITIGATION AREA WILL BE RESEED AS DESCRIBED ABOVE FOR NON-FAIRWAY, UPLAND AREAS.





- NOTES:
1. SEE FIGURE 2 FOR CULVERT LOCATIONS.
 2. ALL CULVERTS TO BE CONSTRUCTED TO MATCH EXISTING INLET AND OUTLET INVERT ELEVATIONS.
 3. CULVERT PIPE LOCATIONS TO BE FIELD VERIFIED.
 4. SITE GRADING TO BE REVEALED IN THE FIELD TO PROVE ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH APPROVED AND SIGNATURE DRAWING PLANS.

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SCALE

Fisher Associates
ENGINEERS AND SURVEYORS
MARCH 2001

JOINT APPLICATION FOR PERMITS
CULVERT CROSS
VICTOR HILLS, EAST

Table 2
Summary of Existing Wetland Conditions

Identification	Classification ⁽¹⁾	Area (Acres)	Existing Conditions	Vegetation ⁽²⁾
A	PEM1B	0.065	Natural	Broad leaf cattail (Typha latifolia – OBL), Red top (Agrostis alba – FACW)
B	PEM1B (Presumed)	0.116	Vegetation disked, short outlet ditch cleaned	None
C	PSS1/EM1B (Presumed)	0.191	Cleared and ditched	Remnants of Rice cutgrass (Leersia oryzoides – OBL) Touch-me-not (Impatiens capensis – FACW)
D	PEM1B/OW	0.041	Narrow disturbed area along stream bank for silt fence – small ponded area	Joe Pyeweed (Eupatoriadelphus maculatus – FACW) Rice cutgrass sedges (Carex sp – FACW)
E	PSS1B (Presumed)	0.101	Cleared and filled	Remnant of Green Ash (Fraxinus pennsylvanica – FACW), Touch-me-not, Sensitive Fern (Osmunda sensibilis – FACW)
F	PFO1/EM1B (Presumed)	0.214	Mostly cleared and filled with new stream channel cut through site	Remnant of Green ash and Touch-me-not and Sedges
G	PFO1/EM1B (Presumed)	0.239	Ditched and cleared with short tile line	Remnant of Touch-me-not
H	PFO1/SS1B	0.354	Much of the shrub and herbaceous layer mowed and seeded with upland grass	Remnant of Green ash, Gray dogwood (Cornus foemina – FAC), Sensitive fern, and willow (Salix sp – FACW)

Table 2
Summary of Existing Wetland Conditions

Identification	Classification ⁽¹⁾	Area (Acres)	Existing Conditions	Vegetation ⁽²⁾
I	PEOI/SSI B	0.013	Natural	Willow, Small white aster (Aster vimineus – FAC), Red osier dogwood (Cornus stolonifera – FACW+)
J	R3UB1	0.537	Tributary to Fish Creek Perennial stream (3900 ± linear feet) with a short section relocated	None

Notes:

¹Classifications of Wetlands and Deep Water Habitats of the United States”, 1979, by Coordin, L.M., V Carter, F.C. Golet and E.T. Laroe, US Fish and Wildlife Service, Wash., DC FWS/OBS-79-31, 103 pp.

P – Palustrine (upland) wetland
OW – open water

EMI – emergent wetland with persistent vegetation

FOI – forested wetland with broad-leaved deciduous vegetation

SSI – Scrub/shrub wetland with broad-leaved deciduous vegetation

A – temporarily flooded water regime

B – saturated

C – seasonally flooded

E – seasonally flooded/saturated

R – Riverine (rivers and streams) wetland

3 – upper perennial streams

UB – Unconsolidated bottom

1 – Cobble/Gravel

2 – Sand

3 – Mud

4 – Intermittent Streams

SB – Stream Bed

5 – Mud

7 – Vegetated

x – Excavated

“Wetland Delineation Manual”, 1987 U.S. Army Corps of Engineers Environmental Laboratory Vicksburg, MI 39180-0631

OBL - Obligate wetland plants that almost always occur in wetlands (estimated probability of >99%).

FACW - Facultative wetland plants that usually occur in wetlands (estimated probability of 67 to 99%).

FAC - Facultative plants that are equally likely to occur in wetlands or non-wetlands (estimated probability of 34 to 66%).

FACU - Facultative upland plants that usually occur in non-wetlands (estimated probability of 67 to 99%).

UPL - Obligate upland plants that almost always occur in non-wetlands (estimated probability of 99%)

will be acceptable. A summary of the impacted wetlands for the revised golf course plan is shown in Table 3.

Table 3 – Federal Jurisdictional Wetland Impacts for Revised Golf Course Plan			
Wetland Identification	Wetland Type	Total Delineated Area	Impacted Area
A	Palustrine	0.065 ac	0 ac
B	Palustrine	0.107 ac	0.062 ac
C	Palustrine	0.191 ac	0 ac
D	Palustrine	0.041 ac	0 ac
E	Palustrine	0.098 ac	0.098 ac
F	Palustrine	0.231 ac	0.090 ac
G	Palustrine	0.207 ac	0.153 ac
H	Palustrine	0.338 ac	0 ac
I	Palustrine	0.013 ac	0 ac
J	Riverine	0.537 ac	0.039 ac
Total Wetlands		1.828 ac	0.442 ac